

magnesia shall contain not less than 7 percent of magnesium hydroxide; and its difference in strength and quality from the official standard was not plainly stated on the label. It was alleged to be misbranded in that the statement "Milk of Magnesia U. S. P.," appearing in its labeling, was false and misleading.

The chloroform liniment was alleged to be adulterated in that it purported to be and was represented as a drug, the name of which is recognized in the United States Pharmacopoeia, but its strength differed from and its quality fell below the standard set forth therein since it contained not more than 38.1 percent of alcohol by volume, whereas the Pharmacopoeia provides that it shall contain from 43 to 47 percent of alcohol by volume; and its difference in strength and quality from the official standard was not plainly stated on the label. It was alleged to be misbranded in that the statement "Chloroform Liniment \* \* \* Alcohol 45% to 47%," appearing in its labeling, was false and misleading. It was alleged to be misbranded further in that it was in package form and did not bear a label containing an accurate statement of the quantity of contents since the bottle label bore the statement "One Pint," whereas the bottle contained not more than 14.6 fluid ounces of the drug.

The ammonia water was alleged to be adulterated in that it purported to be and was represented as a drug, the name of which is recognized in the United States Pharmacopoeia, but its strength differed from and its quality fell below the standard set forth therein since it contained not more than 7.54 grams of ammonia per 100 cc., whereas the Pharmacopoeia provides that ammonia water shall contain not less than 9 grams of ammonia per 100 cc.; and its difference in strength and quality from the official standard was not plainly stated on the label. It was alleged to be misbranded in that the statement "Ammonia Water U. S. P.," appearing in its labeling, was false and misleading; and in that it was in package form and its label failed to bear the name and place of business of the manufacturer, packer, or distributor of such drug.

The saturated solution of boric acid was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it purported to be and was represented as a drug, the name of which is recognized in the National Formulary, but its strength differed from and its quality fell below the standard set forth therein since one shipment of the drug contained not more than 3.1 grams of boric acid per 100 cc. and the other shipment contained not more than 3.75 grams per 100 cc., whereas the Formulary provides that solution of boric acid, which is a synonym for saturated solution of boric acid, shall contain not less than 4.25 grams of boric acid per 100 cc., and its difference in strength and quality from such standard was not plainly stated on the label. This drug was also alleged to be misbranded in that the statements appearing on its label "Saturated Solution of Boric Acid," and "As an eye wash, use full strength in an eye cup as often as necessary," were false and misleading since they represented that the drug was a saturated solution of boric acid and that the drug would be suitable for use as an eye wash, whereas it was not a saturated solution of boric acid and it would not be suitable for use as an eye wash by reason of the fact that one shipment of the drug was contaminated with an oily substance and the other shipment was contaminated with a moldy substance.

On February 25, 1943, the defendant having entered a plea of *nolo contendere*, the court imposed a fine of \$25 on each of the 10 counts, totaling \$250.

**915. Adulteration of Athlete's Isopropyl Alcohol Compound. U. S. v. The Spark'l Paulette Co., Inc. Plea of guilty. Fine, \$1,000. (F. D. C. No. 7677. Sample No. 77201-E.)**

On April 3, 1943, the United States attorney for the Eastern District of New York filed an information against the Spark'l Paulette Co., Inc., Brooklyn, N. Y., alleging shipment on or about April 20, 1942, from the State of New York into the State of Pennsylvania of a quantity of Athlete's Isopropyl Alcohol Compound which was adulterated.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance by reason of the presence therein of rodent hairs, human hairs, insect larvae, metal fragments, rust, and miscellaneous dirt. It was alleged to be adulterated further in that it had been prepared and packed under insanitary conditions whereby it might have become contaminated with filth.

On April 22, 1943, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$1,000.